

Court of Appeals, State of Michigan

ORDER

People of MI v Solomon McDonald Jr

Docket No. 285078

LC No. 06-028450-FH

Richard A. Bandstra
Presiding Judge

William B. Murphy

Jane E. Markey
Judges

The Court REMANDS this case for clarification as to whether the sentence imposed on defendant of 46 months to 15 years falls within the accurately calculated guidelines for defendant's conviction. If on remand the trial court concludes that the sentence, in fact, constitutes an upward departure from the applicable guidelines, this Court orders that that sentence be VACATED and that the court re-sentence defendant. If upon re-sentence the court sentences defendant outside the applicable guidelines, it must state its reasons for doing so. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 17 2008

Date

Sandra Schultz Mengel
Chief Clerk